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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTSU.S. DISTRICT COURT
DISTRICT OF MASS.

UNITED STATES OF AMERICA,)
 Plaintiff,)
 vs.)
 Nadine J. Griffin,)
 Accused, Belligerent Claimant)

CASE NO. CR-05-10175-WGY

VERIFIED AFFIDAVIT IN
SUPPORT OF MOVE TO DISMISS FOR
VIOLATION OF THE SIXTH AMENDMENT
AND SPEEDY TRIAL ACT

Fed.R.Crim.P. 47(d)

Nadine J. Griffin declares and states as follows:

1. I am the Accused Belligerent Claimant proceeding on her own behalf, hereinafter referred to as "Affiant" in the above-entitled action and competent to testify to the facts stated herein to wit:
2. That all statements made within this affidavit are true and correct not meant to mislead.
3. That Nadine J. Griffin exists as a Conscious Living, Breathing, Flesh and Blood Sentient Being; NOT a statutory person, persons, natural person, artificial person, individual, corporation, entity, or any other sub-status, fourth class citizen *ens legis* creation of any government, federal, state, local or otherwise.
4. That Affiant is unschooled in law, not an attorney or bar association member, and is attempting to defend and dispose of this action to the best of Affiant's ability with reliance upon your statutes, codes, rules and regulations; including those relied upon by the plaintiff

1 and established by the Constitution of the United States of America, United States
2 Congress, and the United States Supreme Court.

3 5. That on or about July 13, 2005 Affiant was formally charged under cause number 05- CR-
4 10175-WGY for alleged violations of 26 U.S.C. § 7206, two counts of filing a false returns
5 for the tax years 1998 and 1999.

6 6. That Affiant's first appearance was without an attorney before this Court in a scheduled
7 arraignment on July 27, 2005 at 4:00 p.m., before Magistrate Judge Joyce London
8 Alexander.

9 7. That Affiant formally objected on the record to being arraigned by Magistrate Judge Joyce
10 London Alexander on a felony matter and filed an affidavit in objection to these acts.

11 8. That no arraignment by Judge Joyce London Alexander and Affiant was rescheduled to
12 appear on August 11, 2005 to be arraigned once again.

13 9. That Affiant appeared on August 11, 2005 at the scheduled hearing, observed that
14 Magistrate Judge Joyce London Alexander remained on the bench, and immediately
15 objected to her arraigning the matter, as a de facto not guilty plea was entered on Affiant's
16 behalf against Affiant's direction.

17 10. That Affiant finally appeared before Judicial Official and CEO William G. Young on
18 September 27, 2005, at which time and after Affiant's many objections, Judicial Official
19 and CEO William G. Young arraigned Affiant and entered a "Not Guilty" plea on her
20 behalf and Ordered the time between 9/27/05 and 5/1/06 excluded (See Electronic Clerk's
21 Notes for proceedings held before Judge William G. Young dated September 27, 2005)
22
23 11. That Judicial Official and CEO William G. Young did know, or should have known, that
24 the last date for scheduling a trial was December 7, 2005, based on the first appearance
25

clause of the Speedy Trial Act of 1974 codified as 18 U.S.C. § 3161(c)(1) – “Trial must commence within seventy (70) days from the date the information or indictment was filed, or from the date the defendant appears before an officer of the court in which the charge is pending, whichever is later.” 18 U.S.C. § 3161(c)(1), Affiant’s first court appearance (before a Judge that had the authority to arraign her) was July 27, 2005.

12. That Affiant did not and does not waive the right to a speedy trial and objected on the record to the court's scheduling of a trial date outside the Speedy Trial Act and objects that the judge arbitrarily ordered "the time between 9/27/05 and 5/1/06 excluded," as if he had the authority to exclude time outside the Speedy Trial Act.

13. That 28 U.S.C. § 2072 states:

“(a) The Supreme Court shall have the power to prescribe general rules of practice and procedure and rules of evidence for cases in the United States district court (including proceedings before magistrates thereof) and courts of appeals.

(b) All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect."

14. Judicial official and CEO William G. Young maintains an employment nexus by and through the United States Congress and subject to the Acts thereof and does not possess the authority without Congressional Mandate, by local rule, statutory or otherwise to exclude time at his personal discretion and without clarification.

VERIFICATION

I, Nadine J. Griffin, declare under penalty of perjury as a Conscious, Thinking, Feeling, Living, Breathing, Flesh and Blood, Sentient Being that the foregoing is true and correct. All Rights retained without recourse.

Executed this 1 day of March, 2006.

Signature: Nadine J. Griffin
Nadine J. Griffin
Accused, Belligerent Claimant

1 c/o 36 Center Street, #143
2 Wolfeboro, New Hampshire [03894]
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4

5 **NOTARY ACKNOWLEDGMENT**
6

7 State of New Hampshire)
8 County of Carroll) subscribed and sworn
9

10 On this 1st day, of March, 2006, Nadine J. Griffin personally
11 appeared, personally known to me, or proved to me on the basis of satisfactory evidence to be
12 the one whose name is subscribed to within this instrument and who did take an Oath.
13

14 **Witness my hand and official seal.**

15 
16 Signature of Notary

17 SUSAN L. ADJUTANT, Notary Public
18 My Commission Expires March 23, 2010
19 My Commission Expires: _____
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